

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

GAVIN WADE WARNER,

Plaintiff,

Case No. 2:25-cv-00026

v.

Honorable Phillip J. Green

UNKNOWN JOHNSTON et al.,

Defendants.

JUDGMENT

In accordance with the opinion issued this date:

IT IS ORDERED that Plaintiff's federal claim under the Eighth Amendment be **DISMISSED WITH PREJUDICE** for failure to state a claim, under 28 U.S.C. §§ 1915(e)(2) and 1915A(b), and 42 U.S.C. § 1997e(c).

IT IS FURTHER ORDERED that Plaintiff's state law claim for negligence be **DISMISSED WITHOUT PREJUDICE** because the Court declines to exercise jurisdiction over it. *See* 28 U.S.C. § 1367(c).

Dated: March 12, 2025

/s/ Phillip J. Green

PHILLIP J. GREEN

United States Magistrate Judge